

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) CR. NO. 1:07cr183-WKW
)
RICKEY RANDELL WREX SMITH)

ORDER ON MOTION

Upon consideration of defendant's unopposed motion for a psychiatric examination pursuant to 18 U.S.C. §§ 4241, 4242 and 4247 (Doc. # 24), filed December 5, 2007, and for good cause, it is

ORDERED that the motion be and hereby is GRANTED. It appears to the court that there is reasonable cause to believe that RICKEY RANDELL WREX SMITH at the time of the commission of the offense charged was insane or mentally incompetent and/or may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Accordingly, it is

ORDERED that the United States Marshal for this district shall immediately remove the defendant to the custody of such federal institution as may be designated by the Attorney General where the defendant is to be committed for the purpose of being observed and examined for a period of 45 days by one or more qualified psychiatrists at the institution, pursuant to the provisions of 18 U.S.C. §§ 4241, 4242 and 4247(b)(c). It is further

ORDERED by this court that the examining psychiatrist or psychiatrists conducting the mental examination of the defendant report in writing to this court within 45 days from

the date of the defendant's arrival at the institution as to their findings, opinions and conclusions relative to the competency or incompetency of the defendant and specifically report to and advise this court whether or not in their opinion the defendant may be presently insane or otherwise so mentally incompetent as to be unable to understand the proceedings against him or properly assist in her own defense and further specifically report their findings, opinions and conclusions as to whether the defendant, at the time of the commission of the offense with which he is charged, was insane or mentally incompetent. It is further ORDERED by this court that the defendant shall be incarcerated and remain at the institution designated by the Attorney General until further order of this court.

DONE, this 5th day of December, 2007.

/s/ Susan Russ Walker

SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE